

REMARKS

In response to the Office Action dated November 7, 2003, Applicants elect the claims of Group I, claims 1-7 and 13, for prosecution at this time, without traverse. Claims 8-12 have been withdrawn. The Examiner is authorized to cancel the non-elected claims upon the indication of allowable subject matter in this application. Claims 14-19 have been added. Claims 1, 3, 4, 6 and 13 have been amended. No new matter has been added.

Independent claim 1 was rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,758,259 issued to Lawler (hereinafter "Lawler"). Applicants have amended claim 1 to include the limitation sensing viewer reaction input to displayed video segments from a viewer through at least one sensor after receiving a start trigger.

In the Office Action, the Examiner stated that Lawler, at column 4, lines 58-61, teaches sensing input from said viewer through at least one sensor. The portion of the Lawler reference cited by the Examiner recites that "...viewer control unit 71 includes an infrared transmitter window 89 through which control unit 71 emits infrared signals to infrared input 70 of station controller 20." The cited portion merely discloses the use of an ordinary remote control and fails to disclose sensing viewer reaction input to displayed video segments from a viewer through at least one sensor after receiving a start trigger.

The Examiner also stated that Lawler teaches transmitting said input to a remote computer at column 7, lines 35-47. The portion of the Lawler reference at column 7 cited by the Examiner recites that "...station controller 20 transmits to central control node 12 a viewer identifier corresponding to the viewer or viewers watching the programming." Claim 1 as amended is limited to a method including the step of transmitting input to a remote computer. The portions of the Lawler reference cited by the Examiner do not teach this limitation. While the portion of the Lawler reference at column 4 cited by the Examiner recites the emission of infrared signals, it does not teach transmitting these signals to a remote computer. The Applicants can find no teaching or suggestion in the cited portion of the reference that viewer reaction input is transmitted to a remote computer, as required by amended claim 1.

Applicants respectfully submit that none of the references cited by the Examiner, alone or in combination, disclose all of the limitations of amended claim 1. For at least these reasons, Applicants respectfully submit that claim 1 is patentable over the cited references.

Independent claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Lawler in view of U.S. Patent No. 6,463,585 issued to Hendricks *et al.* The Examiner rejected claim 4 in part on the same grounds and for the same reasons as independent claim 1. The Examiner stated that Lawler discloses all limitations of original claim 1 but for the limitation of transmitting affinity data to a remote computer. Insofar as the Applicants have set forth multiple reasons showing the patentability of amended claim 1 over Lawler, the Applicants respectfully submit that amended claim 4 is similarly patentable because it includes the limitation of sensing viewer reaction input to displayed video segments from a viewer through at least one sensor after receiving a start trigger. Applicants additionally note that claim 4 has been amended remove any ambiguity with respect to the limitation for displaying said video segments to said viewer.

Claim 13 was rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,317,881 issued to Shah-Nazaroff *et al* (hereinafter "Shah-Nazaroff"). Claim 13, as amended, includes the limitations of transmitting a start trigger and receiving responses to the presentation of broadcast content from viewers after the start trigger is received. Applicants respectfully submit that none of the references cited by the Examiner, alone or in combination, disclose all of the limitations of amended claim 13. For at least this reason, Applicants respectfully submit that claim 13 is patentable over the cited references.

For all the foregoing reasons, the Applicants respectfully submit that independent claims 1, 4 and 13 are patentable over the cited references. Accordingly, the Applicants respectfully request the Examiner withdraw his rejections and allow all independent claims.

Claims 2, 3, 7 and 14 - 19 depend from independent claim 1, while claims 5 and 6 depend from independent claim 4. The Applicants respectfully submit that they have shown the patentability of at least independent claims 1 and 4. Accordingly, claims 2, 3, 5-7 and 14-19 are

themselves patentable insofar as they depend from patentably distinct independent claims. The Applicants make this assertion without reference to the independent bases of patentability contained within each dependent claim. Accordingly, the Applicants respectfully request the Examiner withdraw his rejections and allow all pending dependent claims.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 57717-2000200.

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